

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0751.01 Jason Gelender x4330

HOUSE BILL 21-1127

HOUSE SPONSORSHIP

Pico,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Local Government
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR A COUNTY TO USE COUNTY**
102 **GENERAL FUND MONEY TO FUND ROADS AND BRIDGES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law prohibits a county from appropriating county general fund money for roads and bridges and, subject to an exception for disaster emergency response within the county, from transferring county general fund money to the county road and bridge fund. The bill authorizes a county to use county general fund money to fund roads and bridges by eliminating these existing prohibitions.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 30-25-106, **amend**
3 (1) and (3) as follows:

4 **30-25-106. Fund - purposes.** (1) The board of county
5 commissioners is authorized to appropriate money from the county
6 general fund for all ordinary county expenses, including the
7 administrative expenditures of elective and appointive offices, library,
8 agricultural extension service, fire protection, fairs, advertising, airports,
9 health, rodent control, water conservation, weed control, pest control,
10 predatory animal control, ROADS AND BRIDGES, and all other general
11 county purposes authorized by law, except expenditures for public
12 welfare, ~~roads and bridges~~, debt service, public hospitals, public works
13 OTHER THAN THOSE TYPES OF PUBLIC WORKS SPECIFICALLY MADE
14 ELIGIBLE FOR APPROPRIATIONS IN THIS SUBSECTION (1), contingencies, and
15 purposes voted by the electors.

16 (3) ~~Notwithstanding the provisions of subsection (1) of this~~
17 ~~section,~~ The board of county commissioners is authorized to transfer
18 money from the county general fund to the county road and bridge fund
19 created in section 43-2-202. ~~if the governor declares, by executive order~~
20 ~~or proclamation, a disaster emergency in the applicable county pursuant~~
21 ~~to section 24-33.5-704 (4). The board of county commissioners is~~
22 ~~authorized to make the transfers until eight years after the date of the~~
23 ~~governor's declaration of an emergency in the county. The eight years~~
24 ~~begins the day after the date of the governor's final declaration of an~~
25 ~~emergency for the disaster, including all extensions to the declaration.~~
26 Any county general fund money transferred into the county road and

1 bridge fund must be used ~~for the purposes of disaster response and~~
2 ~~recovery~~ in a manner consistent with the permissible uses of money in the
3 county road and bridge fund.

4 **SECTION 2.** In Colorado Revised Statutes, 43-2-202, **amend**
5 (1)(b) as follows:

6 **43-2-202. County road and bridge fund - apportionment to**
7 **municipalities.** (1) (b) In addition to the ~~moneys~~ MONEY specified in
8 ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION,
9 the county road and bridge fund consists of any general fund ~~moneys~~
10 MONEY that the board of county commissioners of the applicable county
11 transfers to the fund pursuant to section 30-25-106 (3). ~~C.R.S., after the~~
12 ~~governor declares a disaster emergency in the county.~~ The board of
13 county commissioners may transfer back to the county general fund any
14 ~~moneys~~ MONEY that it transferred to the county road and bridge fund
15 pursuant to section 30-25-106 (3). ~~C.R.S.~~

16 **SECTION 3. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly; except
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V
20 of the state constitution against this act or an item, section, or part of this
21 act within such period, then the act, item, section, or part will not take
22 effect unless approved by the people at the general election to be held in
23 November 2022 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.